

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WESTLEY ALAN HRDLICKA,

Defendant.

Case No.: 2:19-mj-00673-NJK

ORDER
(Docket No. 23)

Pending before the Court is the parties' joint status report. Docket No. 23.

On November 13, 2019, Defendant entered a guilty plea to count one of the amended complaint. Docket No. 14. The Court sentenced him to one year of unsupervised probation with special certain special conditions. *Id.* The Court further set a status hearing on June 9, 2020, to ensure that Defendant completed his requirements. *Id.*

On June 9, 2020, the parties submitted a stipulation to continue the status hearing to allow Defendant an additional 90 days to complete his Court-ordered requirements. Docket No. 18. No reason was given at that time as to why Defendant had failed to complete these requirements. *Id.* Nonetheless, the Court granted the stipulation and ordered the parties to file a joint status report, no later than August 28, 2020. Docket No. 19.

The parties now submit that Defendant has not completed the requirements of the Court's order, in part because he lost his employment, though he has now gained new employment.¹ Docket No. 23 at 2. The parties further submit that the "government has agreed to extend" the time for Defendant to complete his Court-ordered requirements. *Id.* It is, of course, axiomatic that

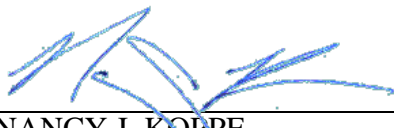
¹ While loss of employment may explain Defendant's failure to pay his Court-ordered fine and penalty assessment, it does not explain Defendant's failure to complete the Court-ordered DUI course and Victim Impact Panel. The parties make no attempt to explain when Defendant lost his employment, when he gained new employment, why he made no payments toward his financial obligations in this case, or why Defendant has failed to complete the classes in the ten months since the Court sentenced him and ordered him to do so. *See* Docket No. 23.

1 no party can modify a Court order. Therefore, the United States cannot extend the time for
2 Defendant to complete the requirements of the sentence the Court imposed upon him.

3 The Court **ORDERS** the parties to file an updated joint status report, no later than October
4 19, 2020.

5 IT IS SO ORDERED.

6 DATED: September 2, 2020.

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11 NANCY J. KOPPE
12 UNITED STATES MAGISTRATE JUDGE
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